

▶ **FILE #:** 8-G-15-SC

**AGENDA ITEM #:** 16

**AGENDA DATE:** 8/13/2015

▶ **APPLICANT:** NMI RESIDENTIAL INVESTMENTS LLC

TAX ID NUMBER:	154 F D 059	<a href="#">View map on KGIS</a>
JURISDICTION:	Council District 2	
SECTOR PLAN:	Southwest County	
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)	
ZONING:	TC-1 (Town Center)	
WATERSHED:	Tennessee River	

▶ **RIGHT-OF-WAY TO BE CLOSED:** Horizon Drive

▶ **LOCATION:** Between southwest corner of Lot 212 and end of cul-de-sac at lot 243

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Topographical constraints will not allow usable lots as currently platted.

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND that City Council APPROVE the closure of a portion of Horizon Drive, as requested, subject to any required easements and subject to the following condition:**

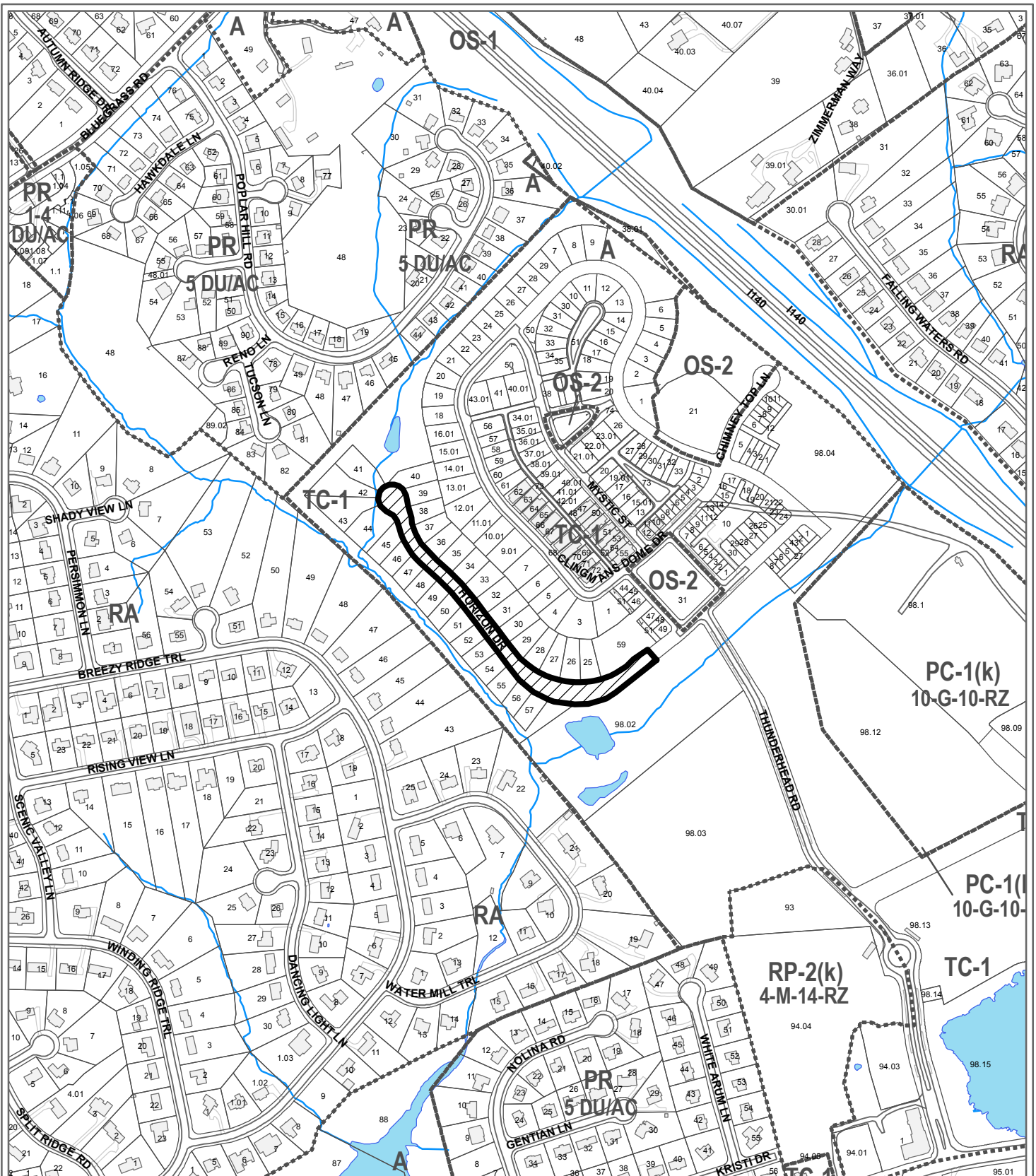
1. The 4 conditions included in the attached letter from City of Knoxville Engineering (dated July 28, 2015) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections from reviewing departments or utilities to this closure.

**COMMENTS:**

The applicant has provided signatures from all owners of properties fronting on the right-of-way to be closed. All signees have indicated agreement with the proposed closure. The lots served by this street are no longer going to be developed as originally planned. All the lots will need to re-subdivide/combine any abutting lots in such a way to create legal access to a public road, as indicated as condition 1 in the attached letter from City Engineering.

If approved, this item will be forwarded to Knoxville City Council for action on 9/15/2015 and 9/29/2015. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



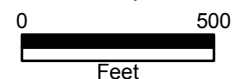
**8-G-15-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

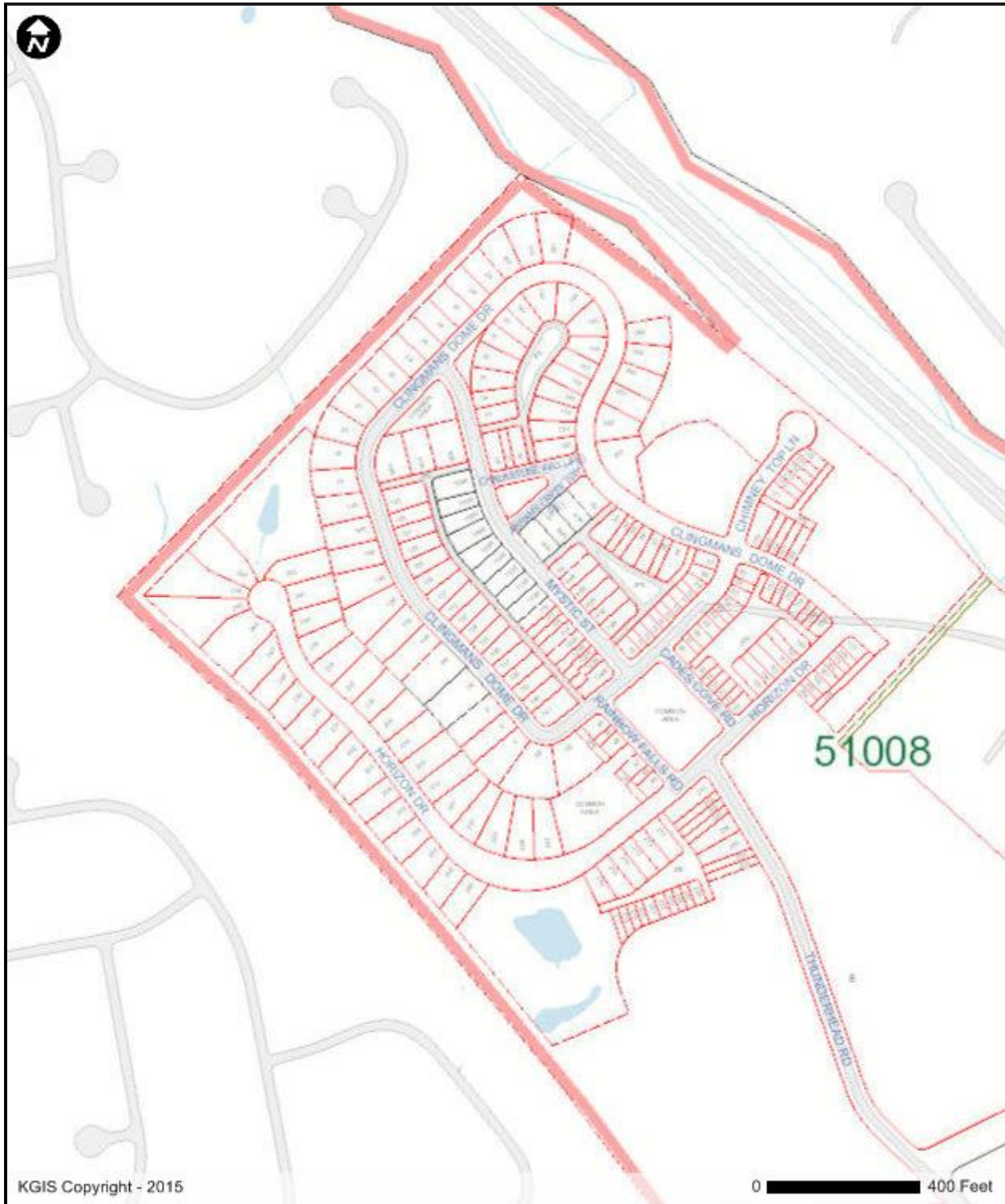
Name of Street or Alley: Horizon Drive  
 To be closed from: southwest corner of Lot 212  
 To be closed to: end of cul-de-sac at lot 243

Original Print Date: 7/24/2015      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: NMI Residential Investments LLC

Map No: 154  
 Jurisdiction: City





### 8-G-15-SC

KGIS - 606 Main St - Suite 150 - Knoxville, TN 37902 - [www.kgis.org](http://www.kgis.org)

Printed: 7/7/2015 at 9:55 AM

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## CITY OF KNOXVILLE

Engineering  
James R. Hagerman, P.E.  
Director of Engineering

July 21, 2015

Mr. Mike Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
Knoxville, Tennessee 37902

SUBJECT: Proposed Closure of a portion Horizon Drive  
MPC File # 8-G-15-SC; Near City Block 51008

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way area provided the following conditions, subject to City Engineering approval, are met:

1. The applicant, as they have already proposed, shall complete the subdivision process to re-subdivide any abutting lots in such a way to create legal access to a public road.
2. The applicant shall have one (1) year to complete conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.
3. The closing ordinance shall state that this closure shall become effective only after the Engineering Department has provided written verification, to the City Recorder, that conditions have been satisfactorily met.
4. Should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if any, located in or within five (5) feet of the property described herein.

Sincerely,

*Benjamin D. Davidson*

Benjamin D. Davidson, PLS, Technical Services Administrator, Department of Engineering  
Ph: 865-215-2148

8-8-15-SC-cor-City Fire



### Fire Prevention Bureau

City of Knoxville  
400 Main Street, Suite 539  
Knoxville, TN 37902



Memorandum

Date: July 30, 2015

To: Mike Brusseau

From: Sonny Partin, Deputy Fire Marshal

Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. Alley between W. Caldwell and W. Quincy	Approved	None 8-A-15-AC
2. Alley- Geyland Hgts.	Disapproved	Provide more detail on map 8-B-15-AC
3. Alley between White and Cumberland	Approved	None 8-C-15-AC
4. Alley between Thirteenth and western terminus	Approved	None 8-D-15-AC
5. Log Haven Dr.	Disapproved	Provide more detail on map 8-A-15-SC
6. Cherokee Cove Rd.	Disapproved	Provide more detail on map 8-B-15-SC
7. Chi Phi Ave.	Approved	None 8-C-15-SC
8. Melrose Ave.	Approved	Road width cannot be reduced 8-D-15-SC
9. Melrose Pl.	Approved	Road width cannot be reduced 8-E-15-SC
10. Volunteer	Approved	Road width cannot be reduced 8-F-15-SC
11. Horizon	Approved	None 8-G-15-SC ✓



Knoxville Utilities Board



July 21, 2015

Mr. Mike Brusseau  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902

Dear Mr. Brusseau:

**Re: Right-of-Way Closure Request 8-G-15-SC**

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-way and we have no objection to the requested closure. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.  
Engineering

GLP/ggt